

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

PAUL SIMONDS,) CASE NO. C08-0046-JCC-MAT
)
Plaintiff,)
)
v.) ORDER DENYING APPLICATION
) TO PROCEED *IN FORMA PAUPERIS*
FOX, et al.,) AND DISMISSING CASE
)
Defendants.)
_____)

The Court, having reviewed plaintiff's complaint, the Report and Recommendation of Mary Alice Theiler, United States Magistrate Judge, and the remaining record, does hereby find and Order:

- (1) The Court adopts the Report and Recommendation;
- (2) Plaintiff's application to proceed in forma pauperis is DENIED and this matter is DISMISSED without prejudice; and,
- (3) The Clerk is directed to send copies of this Order to plaintiff and to Judge Theiler.

DATED this 19th day of February, 2008.



John C. Coughenour
United States District Judge